



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

Promoting the wise use of land

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| MEETING DATE July 17, 2015 LOCAL EFFECTIVE DATE July 31, 2015 | CONTACT/PHONE James Caruso (805) 781-5702 | APPLICANT PG&E/Verizon Wireless | FILE NO. DRC2014-00107 | | | | |
| SUBJECT Hearing to consider a request by PG&E/VERIZON WIRELESS for a Minor Use Permit to allow for the installation of an unmanned communications facility consisting of: a) six (6) six foot tall panel antennas mounted approximately 49 feet from the ground on an existing PG&E transmission tower; b) 200 square foot equipment shelter; c) emergency generator; and d) a 6 foot high chain link fence around the 600 square foot lease area. The project will result in the disturbance of approximately 600 square feet on an 18.31 acre parcel. The proposed project is within the agricultural land use category and is located at 3293 Meadowlark Rd, east of the City of Paso Robles. The site is in the Salinas River sub area of the North County planning area. | | | | | | | |
| RECOMMENDED ACTION <ol style="list-style-type: none">1. Adopt the Mitigated Negative Declaration (ED14-210) in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.; and2. Approve Conditional Use Permit DRC2014-00107 based on the findings listed in Exhibit A and the conditions listed in Exhibit B. | | | | | | | |
| ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq. and CA Code of Regulations Section 15000 et seq.) has been issued on June 8, 2015 for this project. Mitigation measures are proposed to address Biological Resources are included as conditions of approval. | | | | | | | |
| LAND USE CATEGORY Agriculture | COMBINING DESIGNATION None | ASSESSOR PARCEL NUMBER 020-301-027 | SUPERVISOR DISTRICT(S) 1 | | | | |
| PLANNING AREA STANDARDS: None applicable <p style="text-align: center;"><i>Does the project meet applicable Planning Area Standards: N/A</i></p> | | | | | | | |
| LAND USE ORDINANCE STANDARDS: Communications Facilities <p style="text-align: center;"><i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i></p> | | | | | | | |
| FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on August 1, 2015, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed. | | | | | | | |
| EXISTING USES: PG&E towers | | | | | | | |
| SURROUNDING LAND USE CATEGORIES AND USES: <table style="width: 100%;"><tr><td style="width: 50%;"><i>North:</i> Residential Single Family/vacant</td><td style="width: 50%;"><i>East:</i> Agriculture/agricultural uses</td></tr><tr><td><i>South:</i> Agriculture/agricultural uses</td><td><i>West:</i> Residential Single Family/vacant</td></tr></table> | | | | <i>North:</i> Residential Single Family/vacant | <i>East:</i> Agriculture/agricultural uses | <i>South:</i> Agriculture/agricultural uses | <i>West:</i> Residential Single Family/vacant |
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| <small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small> | | | | | | | |

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| OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, CalFire and the City of Paso Robles. | |
| TOPOGRAPHY: Level to gently sloping | VEGETATION: Grasses |
| PROPOSED SERVICES: Water Supply: N/A Sewage Disposal: N/A Fire Protection: Cal Fire | ACCEPTANCE DATE: April 17, 2015 |

DISCUSSION

PROPOSED PROJECT:

The proposed project consists of construction of an unmanned telecommunications facility collocated with a PG&E lattice tower. The specific elements of the project include:

- Installation of six (6) new panel antennas mounted approximately 49 feet from the ground on an existing PG&E transmission tower
- Installation of ground-mounted equipment within a new 200 square foot equipment shelter
- Emergency generator
- 6 foot high chain link fence around the 600 square foot lease area
- The site will be accessed from an existing on-site unpaved road. No new access ways or improvements are permitted.

LAND USE ORDINANCE STANDARDS:

Section 22.30.180 – Communications Facilities

This Section of the Land Use Ordinance (Title 22) contains specific land use permit and application content requirements as well as siting and design standards for proposed wireless communications facilities. As described below, the proposed project meets these requirements:

Radio Frequency Analysis

Section 22.30.180(B) requires applications for communications facilities to provide estimates of non-ionizing radiation generated and/or received by the facility. These shall include estimates of the maximum electric and magnetic field strengths at the edge of the facility site and the extent that measurable fields extend in all directions from the facility.

The project complies with this requirement because the applicant supplied a report to evaluate the proposed communications facility for compliance with appropriate guidelines limiting human exposure to radio frequency (RF) electromagnetic fields. According to the RF report for this project (Hammett & Edison, Inc; March 12, 2015), the maximum cumulative RF emissions from the proposed facility would be equivalent to 4.2% of the FCC standard. The report concludes that the facility would operate within the FCC standard for RF emissions and does not recommend any mitigation measures.

Permit Requirements

Section 22.30.180(C)(1) requires Minor Use Permit approval for proposed wireless communications facilities that are either a) installed on existing structures, or b) co-located at existing communications facility sites. Conditional use permit approval is required for all other communications facilities.

This project requires Minor Use Permit approval because the proposed antennas are mounted on an existing PG&E lattice tower and painted a non-reflective gray color to match the existing tower.

Co-location

According to Section 22.30.180(C)(2)(b), when co-location is not proposed, applications for communications facilities must provide information pertaining to the feasibility of joint-use antenna facilities, and discuss the reasons why such joint-use is not a viable option or alternative to a new site.

The project complies with this section because the project would be co-located at an existing PG&E lattice tower.

Development Standards

According to Section 22.30.180(C)(3)(b), the preferred placement for new wireless communication facilities is on existing structures, completely hidden from public view or painted and blended to match existing structures. In addition, all facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to resemble rural, pastoral architecture (e.g. windmills, barns, trees) or other features determined to blend with the surrounding area and be finished in a texture and color deemed unobtrusive to the neighborhood in which it is located.

The proposed facility expansion is consistent with the latter provision of this standard which allows facilities to be visible from public areas only when they are “disguised to resemble...features determined to blend with the surrounding area and be finished in a texture and color deemed unobtrusive to the neighborhood in which it is located.” As conditioned, all antennas, coaxial cables, jumper wires, and associated mounting brackets shall be painted a non-reflective color to match the existing transmission tower.

ENVIRONMENTAL CONSIDERATION:

The subject property is located within a San Joaquin Kit Fox habitat mitigation area. The proposed project will result in minor disturbance of approximately 600 square feet. In order to avoid potential impacts to the kit fox, the project is conditioned to require a pre-construction survey to address any kit fox activity within the project limit prior to any ground-disturbing activities and to pay standard kit fox mitigation fees based on site disturbance.

COMMUNITY ADVISORY GROUP COMMENTS:

The proposed project site is not within a community advisory group boundary.

AGENCY REVIEW:

Public Works – No concerns
Cal Fire – Fire Plan
Environmental Health – No concerns
Ag Commissioner – No impacts to agriculture
City of Paso Robles – No response

LEGAL LOT STATUS:

The lot was legally created by a deed at a time when that was a legal method of creating lots.

Staff report prepared by James Caruso and reviewed by Airlin M. Singewald.